

Steller sea lions or adversely modify their critical habitat that was published in the **Federal Register** on January 22, 1999.

DATES: Effective February 16, 1999.

FOR FURTHER INFORMATION CONTACT: Kent Lind, 907-586-7650.

SUPPLEMENTARY INFORMATION: An emergency interim rule was published in the **Federal Register** on January 22, 1999 (64 FR 3437), implementing reasonable and prudent alternatives to avoid the likelihood that the pollock fisheries off Alaska will jeopardize the continued existence of the western population of Steller sea lions or adversely modify their critical habitat.

Need for Correction

The change to § 679.23 is made to avoid conflict with the final rule to implement seasonal and area apportionments of Atka mackerel in the Bering Sea and Aleutian Islands Management Area (63 FR 3446, January 22, 1999).

§ 679.20 [Corrected]

1. On page 3443 and in § 679.20:
 - a. In the first column, in paragraph (a)(5)(i)(C)(2), in line 8, remove the reference “§ 679.23 (e) (4) (ii)” and add in its place, “§ 679.23 (e)(4)(i)”.
 - b. In the second column, in paragraph (a)(5)(i)(C)(3), in line 3, remove the reference “§ 679.23(e)(4)(iii)” and add in its place, “§ 679.23(e)(4)(ii)”.

§ 679.22 [Corrected]

2. On page 3443, in § 679.22 and in the third column:
 - a. In paragraph (a)(11)(iv)(A), in line 14, remove the reference “(a)(7)(iv)(C)” and add in its place, “(a)(11)(iv)(C)”.
 - b. In paragraph (a)(11)(iv)(C)(1), in line 3, remove the reference “(a)(7)(iv)(A)” and add in its place, “(a)(11)(iv)(A)”.
3. On page 3444, in § 679.22 and in the first column:
 - a. In paragraph (a)(11)(iv)(C)(2), in line 11, remove the reference “(a)(7)(iv)(C)(1)” and add in its place, “(a)(11)(iv)(C)(1)”.
 - b. In paragraph (b)(3)(iii), in the next to last line, remove the reference “(b)(2)(iii)(C)” and add in its place, “(b)(3)(iii)(C)”.

§ 679.23 [Corrected]

4. On page 3444, in § 679.23 and in the third column:
 - a. In line 6, redesignate paragraph (e)(4) as (e)(5).

Dated: February 9, 1999.

Andrew A. Rosenberg, Ph.D.,

*Deputy Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 981222313-8320-02; I.D. 021199A]

Fisheries of the Exclusive Economic Zone Off Alaska; Vessels Greater Than 99 feet (30.2 m) LOA Catching Pollock for Processing by the Inshore Component in the Bering Sea

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock by vessels greater than 99 feet (30.2 m) length over all (LOA) catching pollock for processing by the inshore component in the critical habitat/catcher vessel operation area (CH/CVOA) of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary because the A1 season limit of pollock total allowable catch (TAC) specified for the inshore component within the CH/CVOA will be reached.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), February 11, 1999, until 1200 hrs, A.l.t., February 20, 1999.

FOR FURTHER INFORMATION CONTACT: Andrew Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.20(a)(5)(i)(C)(1), and the revised interim 1999 TAC amounts for pollock

in the Bering Sea subarea (64 FR 3437, January 22, 1999) the A1 season limit of pollock TAC specified to the inshore component for harvest within the CH/CVOA is 80,776 metric tons (mt).

In accordance with § 679.22(a)(11)(iv)(A)&(C)(2) the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the A1 season limit of pollock TAC specified to the inshore component for harvest within the CH/CVOA will be reached. The Regional Administrator has estimated that 1,000 mt is likely to be harvested by catcher vessels less than or equal to 99 feet (30.2 m) LOA during the remainder of the A1 season and is reserving that amount to accommodate fishing by such vessels after the closure of the CH/CVOA to vessels greater than 99 feet (30.2 m) LOA.

NMFS is prohibiting directed fishing for pollock by vessels greater than 99 feet (30.2 m) LOA catching pollock for processing by the inshore component within the CH/CVOA conservation zone, as defined at § 679.22(a)(11)(iv)(B).

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to prevent exceeding the A1 season limit of pollock TAC specified to the inshore component for harvest within the CH/CVOA. A delay in the effective date is impracticable and contrary to the public interest. Further delay would result in noncompliance with reasonable and prudent management measures implemented to promote the recovery of the endangered Steller sea lion. NMFS finds for good cause that the implementation of this action can not be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.22 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: February 11, 1999.

Gary C. Matlock,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

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